

II. REMARKS

Claims 1-37 are pending. The Applicants' attorney has added new claims 33-37. In light of the following, all of the claims are in a condition for allowance.

Claim 33

Claim 33 recites a non-motorized beam-sweep mechanism.

For example, referring, *e.g.*, to FIG. 22, a human operator typically powers the beam-sweep mechanism 3042 by depressing a scan button 3020 with his thumb.

Conversely, referring, *e.g.*, to FIGS. 5A and 6A, Onimaru includes a motor 7 for rotating the can 2a to which the magnets 2b are attached.

Claim 35

Claim 35 recites retaining a mirror in a home position with an attractive magnetic force from a magnet, the mirror rotatable about an axis, moving the magnet in a dimension that is substantially parallel to the axis such that the magnet exerts a repelling magnetic force on the mirror, and moving the magnet in the dimension such that the magnet exerts the attractive magnetic force on the mirror.

For example, referring, *e.g.*, to FIGS. 22, 24, and 25A, in a first position, a magnet 3052 retains a mirror 3046 in a home position (FIGS. 22 and 25A) by attracting a magnet 3048 that is attached to the mirror. Moving the magnet 3052 downward (*i.e.*, substantially parallel to the shaft 3050, which is the rotation axis of the mirror 3046) along a path 3080 and into a second position causes the magnet 3052 to repel the magnet 3048, thus causing the mirror 3046 to oscillate back and forth and scan a beam (FIG. 24). Moving the magnet 3052 upward (*i.e.*, substantially parallel to the shaft 3050) along the path 3080 and back into the first position causes the magnet 3052 to attract the magnet 3048, and thus forces the mirror 3046 back into the home position.

In contrast, referring, *e.g.*, to FIGS. 6A and 6B, Onimaru's magnets 2b do not move in a dimension substantially parallel to the rotational axis H-H of the mirror 6a. Instead, the

cam 2a rotates the magnets 2b in a plane that is perpendicular to the axis H-H. Consequently, the instantaneous velocity vector of each magnet 2b is always perpendicular, not substantially parallel, to the axis H-H.

Conclusion

In addition to previously pending claims 1-32, new claims 33-37 are in condition for full allowance, which is respectfully requested.

In the event additional fees are due as a result of this amendment, payment for those fees has been enclosed in the form of a check. Should further payment be required to cover such fees you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

DATED this 24th day of December, 2003.

Respectfully Submitted,



Bryan A. Santarelli
Attorney for Applicant
Registration No. 37,560
155 – 108th Ave. NE, Suite 350
Bellevue, WA 98004-5973
(425) 455-5575